



INTERIOR BOARD OF INDIAN APPEALS

Thlopthlocco Tribal Town v. Deputy Assistant Secretary -
Indian Affairs (Operations)

19 IBIA 183 (02/04/1991)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

THLOPTHLOCCO TRIBAL TOWN,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 90-114-A
ACTING MUSKOGEE AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	February 4, 1991

This is an appeal from a May 22, 1990, decision of the Acting Muskogee Area Director, Bureau of Indian Affairs, stating that Thlopthlocco Business Committee members had the authority and responsibility to hold a special election for the purpose of filling a vacancy on the Business Committee.

After briefs were filed, the Area Director moved to dismiss this appeal as moot, in view of a special election held by appellant on October 27, 1990, the results of which have been recognized by the Area Director. The Area Director stated that the election was held in accordance with the decision which is the subject of this appeal.

By order of December 26, 1990, the Board gave appellant an opportunity to respond to the Area Director's motion. No response has been received.

The Board normally does not consider moot issues, particularly when, in order to do so, it would be required to interpret tribal law. See, e.g., Sahmaunt v. Anadarko Area Director, 17 IBIA 60 (1989).

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed as moot.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge